

**A CERTIFIED TRUE COPY**JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATIONUNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

OCT 17 2007

FILED  
CLERK'S OFFICE

NOV - 2, 2007

ATTEST  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

ZOMETA PRODUCTS LIABILITY

MAR 19 2008

S. D. OF N. Y.

Margaret Nygren, etc. v. Novartis Pharmaceuticals Corp., et al.,  
M.D. Tennessee, C.A. No. 3:07-957 (S.D. New York,  
C.A. No. 1:07-7271)

MDL No. 1760

**FILED**U.S. DISTRICT COURT  
MIDDLE DISTRICT OF TENN.

NOV 05 2007

**SEPARATION OF CLAIMS AND  
CONDITIONAL REMAND ORDER**BY ab  
DEPUTY CLERK

A conditional transfer order was filed in this action (*Nygren*) on August 31, 2007. In the absence of any opposition to the proposed transfer of *Nygren*, the stay of transmittal was lifted on September 18, 2007, and the action was transferred to the Middle District of Tennessee. The Panel has now been advised, however, that *Nygren* contains: (i) claims relating to ingestion of the prescription drugs Aredia and/or Zometa that are appropriate for inclusion in MDL No. 1760, and (ii) claims relating to ingestion of the prescription drug Actonel that are not appropriate for inclusion in MDL No. 1760.

IT IS THEREFORE ORDERED that all claims relating to ingestion of the prescription drug Actonel, specifically the claims against defendants Proctor & Gamble Pharmaceuticals, Inc., and Aventis Pharmaceuticals, Inc., in *Nygren* be separated and remanded to the United States District Court for the Southern District of New York pursuant to 28 U.S.C. § 1407(a).

IT IS ALSO ORDERED that, pursuant to Rule 7.6 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 436-38 (2001) (Rules), the transmittal of this order to the transferee clerk for filing shall be stayed 15 days from the date of this order. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel. This order does not become effective until it is filed in the office of the Clerk for the United States District Court for the Middle District of Tennessee.

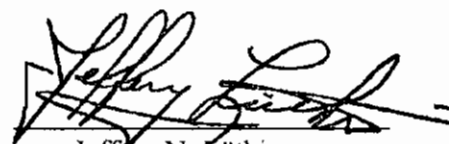
IT IS FURTHER ORDERED that, pursuant to Rule 7.6(g), the parties shall furnish the Clerk for the Middle District of Tennessee with a stipulation or designation of the contents of the record to be remanded and all necessary copies of any pleadings or other matter filed so as to enable said Clerk to comply with the order of remand.

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

NOV - 2 2007

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JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:


Jeffery N. Lüthi  
Clerk of the Panel